

DT07 Rec'd PCT/PTO 0 6 JUL 2004

FORM PTO-1390 (REV. 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 0425-1138PUS1 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/500750</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			
INTERNATIONAL APPLICATION NO. PCT/JP03/00553	INTERNATIONAL FILING DATE January 22, 2003	PRIORITY DATE CLAIMED January 22, 2002	
TITLE OF INVENTION SIGMA RECEPTOR BINDER CONTAINING INDANONE DERIVATIVE			
APPLICANT(S) FOR DO/EO/US IIMURA, Yoichi; KOSASA, Takashi and YAMANISHI, Yoshiharu			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. WO 03/061658</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4)</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been submitted to the Internal Bureau (See Box VIII-4-1 of the Request (PCT/R0/101), <b>copy attached</b>). The Power of Attorney or Authorization of Agent and Certificate under 37 CFR 3.73(b) Showing Chain of Title are: <input type="checkbox"/> attached hereto. <input type="checkbox"/> will follow.</li> </ol> </li> <li>10. <input checked="" type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>			
Items 11. to 20. below concern document(s) or information included:			
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98, Form PTO-1449(s), and International Search Report (PCT/ISA/210) with 17 cited document(s).</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: PCT/IPEA/409 PCT/IB/332 PCT/IB/304 PCT/IB/308</li> </ol>			

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U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/500750</b>		INTERNATIONAL APPLICATION NO PCT/JP03/00553		ATTORNEY'S DOCKET NUMBER 0425-1138PUS1	
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<p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p><b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5):</b>  Neither international preliminary examination fee (37 CFR 1.482)  nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  and International Search Report not prepared by the EPO or JPO. . . . . \$1,080.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to  USPTO but International Search Report prepared by the EPO or JPO . . . . \$920.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO  but international search fee (37 CFR 1.445(a)(2)) paid to USPTO. . . . . \$770.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO  but all claims did not satisfy provisions of PCT Article 33(1)-(4). . . . . \$730.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO  and all claims satisfied provisions of PCT Article 33(1)-(4). . . . . \$100.00</p> <p style="text-align: center;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than 30  months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> <th style="width: 20%;"></th> <th style="width: 20%;"></th> </tr> <tr> <td>Total Claims</td> <td>36 - 20 =</td> <td>16</td> <td>X \$18.00</td> <td>\$</td> <td>288.00</td> </tr> <tr> <td>Independent Claims</td> <td>1 - 3 =</td> <td>0</td> <td>X \$86.00</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable) Yes</td> <td>+ \$290.00</td> <td>\$ 290.00</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$</td> <td>1628.00</td> </tr> </table> <p><input type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. § 1.27. The fees indicated above are reduced by 1/2.</p> <p style="text-align: right;"><b>SUBTOTAL =</b> \$ 1628.00</p> <p>Processing fee of \$130.00 for furnishing the English translation later than 30  months from the earliest claimed priority date (37 C.F.R. § 1.492(f)). + \$</p> <p style="text-align: right;"><b>TOTAL NATIONAL FEE =</b> \$ 1628.00</p> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$</p> <p style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b> \$ 1628.00</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 20%; text-align: center;">Amount to be: refunded</td> <td style="width: 20%; text-align: center;">\$</td> </tr> <tr> <td></td> <td style="text-align: center;">charged</td> <td style="text-align: center;">\$ 1628.00</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total Claims	36 - 20 =	16	X \$18.00	\$	288.00	Independent Claims	1 - 3 =	0	X \$86.00	\$		MULTIPLE DEPENDENT CLAIM(S) (if applicable) Yes				+ \$290.00	\$ 290.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	1628.00		Amount to be: refunded	\$		charged	\$ 1628.00	
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a. ☒ A check in the amount of \$1,628.00 to cover the above fees is enclosed.

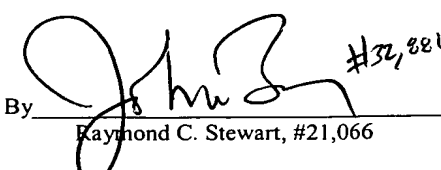
b. ☐ Please charge my Deposit Account. No. 02-2448 in the amount of \$0.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 02-2448.

**NOTE: Where an appropriate time limit under 37 C.F.R. § 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

Send all correspondence to:  
**Birch, Stewart, Kolasch & Birch, LLP or Customer No. 02292**  
**P.O. Box 747**  
**Falls Church, VA 22040-0747**  
**(703) 205-8000**

**Date: July 6, 2004**

By  #32,881  
Raymond C. Stewart, #21,066

/smt